United Nations Convention on the Law of the Sea SPLOS/L.56

Meeting of States Parties

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Draft decision on the allocation of seats on the Commission and the Tribunal

The Meeting of States Parties,

Recalling the responsibility of all States parties to fulfil in good faith the obligations assumed by them under the Convention,

Recalling also its decision SPLOS/163 dated 10 July 2007, adopted during the seventeenth Meeting of States Parties to the United Nations Convention on the Law of the Sea, held at New York on 14 June and 18-22 June 2007,

Recognizing the past substantial growth in the number of, in particular, African and Asian States parties, the present decision is being taken in order to satisfy the need for revision of, and some certainty in, the equitable geographical representation in the composition of the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea,

Having considered the two joint proposals from the African and Asian States parties in relation to the allocation of seats on the Commission on the Limits of the Continental Shelf and the International Tribunal for the Law of the Sea, to reflect the increase in the number of States parties (see SPLOS/163, annexes I and II),

Decides that:

(a) The allocation of seats of the Commission on the Limits of the Continental Shelf shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats; the members of the Commission will be elected as follows:

(i) Five plus one members of the Commission shall be elected from the Group of African States;

(ii) Five plus one members of the Commission shall be elected from the Group of Asian States;

(iii) Three members of the Commission shall be elected from the Group of Eastern European States;

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(iv) Four members of the Commission shall be elected from the Group of Latin American and Caribbean States;

(v) Three members of the Commission shall be elected from the Group of Western European and other States;

(vi) The additional one seat of the African and Asian Groups in the Commission shall rotate. Asia shall occupy six seats in the next elections to the Commission; Africa shall occupy six seats in the elections following those, and so on;

(b) The allocation of seats of the International Tribunal for the Law of the Sea shall be in accordance with the relevant provisions of the Convention, providing that no regional group will have fewer than three seats; the members of the Tribunal will be elected as follows:

(i) Five plus one judges shall be elected from the Group of African States;

(ii) Five plus one judges shall be elected from the Group of Asian States;

(iii) Three judges shall be elected from the Group of Eastern European States;

(iv) Four judges shall be elected from the Group of Latin American and Caribbean States;

(v) Three judges shall be elected from the Group of Western European and other States;

(vi) The additional one seat of the African and Asian Groups in the Tribunal shall rotate. Asia shall occupy six seats in the next elections to the Tribunal; Africa shall occupy six seats in the elections following those, and so on;

(c) The above arrangements will be applicable to future elections, while not prejudicing new arrangements necessitated by the proportional growth of any regional group.